

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

RACHELE GRINZI, et al.,

Plaintiffs,

v.

CURTIS BARNES, et al.,

Defendants.

Case No.: C 04-1655 PVT

**ORDER HOLDING DEFENDANTS CURTIS  
BARNES AND CURTIS O. BARNES, P.C. IN  
CONTEMPT**

On March 3, 2006, this court issued an order to Defendants to show cause why they should not be held in contempt. The order to show cause required Defendants to file a brief no later than March 14, 2006 explaining why they had not yet complied with this court's prior order. It also ordered Defendants to appear before the court on March 28, 2006. Defendants failed to comply with either part of the court's order. They filed no brief to explain why they had not complied with the court's prior order. And they failed to appear before the court on March 28, 2006. At the hearing, Plaintiffs' counsel informed the court that Defendants had finally transferred title to the vehicle, and had paid virtually all of the sanctions due under this court's prior order.<sup>1</sup> Based on the file herein,

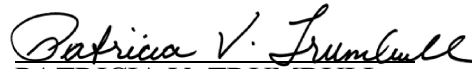
IT IS HEREBY ORDERED that this court holds in contempt Defendants Curtis Barnes

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<sup>1</sup> As the check Plaintiffs received from Defendants had not yet cleared as of the day of the hearing, the court continued the hearing to April 18, 2006. Counsel for Plaintiffs shall inform the court no later than April 17, 2006 if the check clears and no further hearing is necessary. If the check does not clear, the court will consider at the April 18, 2006 hearing Plaintiffs' request to reduce the sanctions order to a judgment.

1 and Curtis O. Barnes, P.C.. In light of Defendants compliance with this court's prior orders,  
2 albeit belated, the court will not order the incarceration of Curtis Barnes. However, a contempt  
3 citation is warranted based on Defendants repeated violation of the court's rules and this court's  
4 orders. The docket reveals that this court has had to issue orders to show cause against  
5 Defendants on three separate occasions in order to secure their compliance with this court's rules  
6 and orders. If in the next five years either Defendant, or any attorney of record for Defendants in  
7 this matter, represent any litigant in any action in the United States District Court for the  
8 Northern District of California, they shall serve and file a copy of this order in that action.

9 Dated: 3/30/06

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11 PATRICIA V. TRUMBULL  
12 United States Magistrate Judge  
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